



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

August 2, 2018

Mr. Craig Ziady
Cummings Properties, LLC
200 West Cummings Park
Woburn, MA 01801

Dear Mr. Ziady:

This correspondence contains EPA New England's Conditional Approval of the revised schedule submitted in email dated July 13, 2018, for the Cummings Properties, LLC, in accordance with the U.S. EPA Region 1 Administrative Order on Consent (AOC) Dated April 13, 2017 (Docket No. RCRA-01-2017-0023), Section IX, paragraph 17.g.

The schedule is approved with the condition that it is revised in accordance with the comments/proposed dates contained in the last column of the attached spread sheet. No justification for the extended time frames was provided. Please do not hesitate to call with any questions. I can be reached at 617-918-1368 or casey.carolyn@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carolyn Casey", is written below the word "Sincerely,".

Carolyn Casey
RCRA Corrective Action Facility Manager

CC: A. Zucker, D. Wainberg, US EPA
R. Knox, J. Miano, MassDEP
B. Hoskins, FSL
G. Flaherty, Cummings Properties

June 22, 2018

Mr. Craig Ziady
Cummings Properties, LLC
200 West Cummings Park
Woburn, MA 01801

Dear Mr. Ziady:

This correspondence contains EPA New England's Disapproval of the revised schedule submitted by you in email dated May 29, 2018 for the Cummings Properties, LLC, in accordance with the U.S. EPA Region 1 Administrative Order on Consent (AOC) Dated April 13, 2017 (Docket No. RCRA-01-2017-0023), Section IX, paragraph 17.g.

The disapproval is based primarily the human health risk assessment completion date of February 2019. Since no additional indoor air sampling is being proposed, it's not clear why the human health risk assessment will take this long to complete.

This disapproval does not require a delay in implementation of the plans as approved. Please submit a revised schedule by July 16, 2018. Please do not hesitate to call with any questions. I can be reached at 617-918-1368 or casey.carolyn@epa.gov.

Sincerely,

Carolyn Casey
RCRA Corrective Action Facility Manager

CC: A. Zucker, D. Wainberg, US EPA
R. Knox, J. Miano, MassDEP
B. Hoskins, FSL
G. Flaherty, Cummings Properties

Cummings Center – 181 Elliott Street, Beverly, MA
Revised Schedule as of May 28, 2019

<u>Task</u>	<u>Date</u>	<u>Comment</u>
Fourth round of groundwater sampling for non-vapor intrusion wells	September 27, 2018	Completed
PCB building sampling in Building 100 (former vocational school)	September 29, 2018	Completed
BERA Work plan and revised QAPP for EPA review	October 5, 2018	Completed
EPA approval of BERA work plan and revised QAPP	June 7, 2019	Pending. Approval is time-sensitive, as BERA sampling cannot commence until EPA approval is received.
Supplemental PCB floor sampling (Building 100, former school)	June 15, 2019	
Start BERA field sampling	July 1, 2019	
Finish BERA field sampling	July 15, 2019	BERA sampling period reduced substantially.
Supplemental Vapor Intrusion Sampling, Elliott Landing and 100 Cummings Center, Suite 135-C	August 8, 2019	
Start BERA toxicity test	August 15, 2019	Sediment samples for toxicity testing will be selected after chemical results are received.
Finish BERA toxicity test	September 26, 2019	Date revised based on information from the toxicity laboratory. The test is 42 days plus seven days for setup.
BERA toxicity lab report received	October 24, 2019	Date revised based on information from the toxicity laboratory.
Draft RCRA Facility Investigation Report (“RFI”) - to include BERA report, complete human health risk assessment, and data validation as appendices	January 15, 2020	In view of the addition of MCS into the schedule, this date must remain at April 30, 2019. Even still, additional time may be needed for this report.
EPA approval of RFI	February 15, 2020	
Submit Environmental Indicators	March 2, 2020	Although EPA has suggested that environmental indicators could be done earlier, the forms confirm that the RFI and full risk assessment need to be completed prior to the environmental indicators.
Media Cleanup Standards Proposal (“MCS”)	n/a	Included within RFI submittal.
EPA approval of MCS	n/a	Included within RFI submittal.
Draft Corrective Measure Study (if needed)	April 30, 2020	Revision to July 15, 2019 conditioned upon EPA’s timely approval of RFI no later than May 30, 2019.

Cummings Center – 181 Elliott Street, Beverly, MA
Revised Schedule

<u>Task</u>	<u>Date</u>	<u>Comment</u>
Fourth round of groundwater sampling for non-vapor intrusion wells	September 27, 2018	Completed
PCB building sampling in Building 100 (former vocational school)	September 29, 2018	Completed
BERA Work plan and revised QAPP for EPA review	October 5, 2018	Completed
EPA approval of BERA work plan and revised QAPP	November 5, 2018	Pending. Approval is time-sensitive, as BERA sampling cannot commence until EPA approval is received.
Start BERA field sampling	November 12, 2018	
Finish BERA field sampling	November 21, 2018	BERA sampling period reduced substantially.
Start BERA toxicity test	December 20, 2018	Sediment samples for toxicity testing will be selected after chemical results are received.
Finish BERA toxicity test	February 4, 2019	Date revised based on information from the toxicity laboratory. The test is 42 days plus seven days for setup.
BERA toxicity lab report received	March 12, 2019	Date revised based on information from the toxicity laboratory.
Draft RCRA Facility Investigation Report (“RFI”) - to include BERA report, complete human health risk assessment, and data validation as appendices	April 30, 2019	In view of the addition of MCS into the schedule, this date must remain at April 30, 2019. Even still, additional time may be needed for this report.
EPA approval of RFI	May 30, 2019	
Submit Environmental Indicators	June 15, 2019	Although EPA has suggested that environmental indicators could be done earlier, the forms confirm that the RFI and full risk assessment need to be completed prior to the environmental indicators.
Media Cleanup Standards Proposal (“MCS”)	n/a	Included within RFI submittal.
EPA approval of MCS	n/a	Included within RFI submittal.
Draft Corrective Measure Study (if needed)	July 15, 2019	Revision to July 15, 2019 conditioned upon EPA’s timely approval of RFI no later than May 30, 2019.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

October 26, 2018

Mr. Craig Ziady
Cummings Properties, LLC
200 West Cummings Park
Woburn, MA 01801

Dear Mr. Ziady:

This correspondence contains EPA New England's Approval of the revised schedule submitted in email dated October 9, 2018 (and as modified by EPA), for the Cummings Properties, LLC, in accordance with the U.S. EPA Region 1 Administrative Order on Consent (AOC) Dated April 13, 2017 (Docket No. RCRA-01-2017-0023).

Please be advised that consistent with Paragraph 30.a. of the AOC, EPA has made one modification to the schedule, by deleting the sentence "Will need to complete BERA sampling by December 1 or will need to postpone until spring 2019." It's premature to include this sentence. Depending on actual weather conditions (e.g. frozen ponds), you may submit a request to extend the December 1 schedule along with a specific basis for your request as this deadline approaches. The enclosed schedule as modified by EPA is now final.

Please do not hesitate to call with any questions. I can be reached at 617-918-1368 or casey.carolyn@epa.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carolyn Casey", is positioned above the typed name.

Carolyn Casey
RCRA Corrective Action Facility Manager

CC: A. Zucker, US EPA
D. Wainberg, US EPA

Cummings Center – 181 Elliott Street, Beverly, MA
Revised Schedule

<u>Task</u>	<u>Date</u>	<u>Comment</u>
Fourth round of groundwater sampling for non-vapor intrusion wells	September 27, 2018	Completed
PCB building sampling in Building 100 (former vocational school)	September 29, 2018	Completed
BERA Work plan and revised QAPP for EPA review	October 5, 2018	Completed
EPA approval of BERA work plan and revised QAPP	November 5, 2018	Pending. Approval is time-sensitive, as BERA sampling cannot commence until EPA approval is received.
Start BERA field sampling	November 12, 2018	
Finish BERA field sampling	November 21, 2018	BERA sampling period reduced substantially.
Start BERA toxicity test	December 20, 2018	Sediment samples for toxicity testing will be selected after chemical results are received.
Finish BERA toxicity test	February 4, 2019	Date revised based on information from the toxicity laboratory. The test is 42 days plus seven days for setup.
BERA toxicity lab report received	March 12, 2019	Date revised based on information from the toxicity laboratory.
Draft RCRA Facility Investigation Report ("RFI") - to include BERA report, complete human health risk assessment, and data validation as appendices	April 30, 2019	In view of the addition of MCS into the schedule, this date must remain at April 30, 2019. Even still, additional time may be needed for this report.
EPA approval of RFI	May 30, 2019	
Submit Environmental Indicators	June 15, 2019	Although EPA has suggested that environmental indicators could be done earlier, the forms confirm that the RFI and full risk assessment need to be completed prior to the environmental indicators.
Media Cleanup Standards Proposal ("MCS")	n/a	Included within RFI submittal.
EPA approval of MCS	n/a	Included within RFI submittal.
Draft Corrective Measure Study (if needed)	July 15, 2019	Revision to July 15, 2019 conditioned upon EPA's timely approval of RFI no later than May 30, 2019.

Cummings Center – 181 Elliott Street, Beverly, MA
Revised Schedule

<u>Task</u>	<u>Date</u>	<u>Comment</u>
Fourth round of groundwater sampling for non-vapor intrusion wells	September 27, 2018	Completed
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BERA Work plan and revised QAPP for EPA review	October 5, 2018	Completed
EPA approval of BERA work plan and revised QAPP	November 5, 2018	Pending. Approval is time-sensitive, as BERA sampling cannot commence until EPA approval is received.
Start BERA field sampling	November 12, 2018	
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EPA approval of RFI	May 30, 2019	
Submit Environmental Indicators	June 15, 2019	Although EPA has suggested that environmental indicators could be done earlier, the forms confirm that the RFI and full risk assessment need to be completed prior to the environmental indicators.
Media Cleanup Standards Proposal (“MCS”)	n/a	Included within RFI submittal.
EPA approval of MCS	n/a	Included within RFI submittal.
Draft Corrective Measure Study (if needed)	July 15, 2019	Revision to July 15, 2019 conditioned upon EPA’s timely approval of RFI no later than May 30, 2019.

11.0 PUBLIC REPOSITORY

A public repository will be established at the Beverly Public Library at 32 Essex Street, Beverly, MA 01915. The library hours of operation are 9AM-9PM Monday-Thursday, 9AM-5PM Friday and Saturday and 1PM-5PM on Sunday. A copy of all finalized reports approved by EPA will be placed in this repository along with applicable and appropriate correspondence between EPA and Cummings Properties, LLC.

12.0 SCHEDULE

The proposed site assessment schedule is as follows, provided EPA's approval is received prior to October 2017:

Vapor Intrusion Assessment

- Soil vapor point and groundwater well installation/well development – November 2017
- First round of soil vapor, indoor air, and groundwater sample collection – January/February 2018
- Second round of soil vapor, indoor air, and groundwater sample collection – April/May 2018

UST Assessment

- GPR Survey – November 2017
- Test Pits (as needed) – November/December 2017
- Soil sample collection (as needed) – November/December 2017 (at same time as test pits)
- Groundwater well installation/well development – November 2017
- Groundwater sample collection – November/December 2017
- Submittal of supplemental work plan for further assessment (if needed) – January/February 2018

PCB Disposal Area Assessment

- Groundwater well installation/well development – November 2017
- First round of groundwater sample collection – December 2017
- Second round of groundwater sample collection – March 2018
- Third round of groundwater sample collection – June 2018
- Fourth round of groundwater sample collection – September 2018

Assessment of Site Groundwater based on Historic Elevated Groundwater Contaminants

- Groundwater well installation/well development – November 2017
- First round of groundwater sample collection – December 2017
- Second round of groundwater sample collection – March 2018
- Third round of groundwater sample collection – June 2018
- Fourth round of groundwater sample collection –September 2018

PCB Evaluation of Former North Shore Community College Space

- Building sample collection – November/December 2017

Ecological Assessment of Upper and Lower Shoe Ponds

- Meeting with EPA – November 2017
- Submittal of supplemental work plan for assessment –February 2018
- Initiation of ecological sample collection – April 2018
- Completion of sample collection – October 2018

Assuming this schedule proceeds as estimated above, data collection for the human health portion of the site assessment will be completed by September 2018. The ecological assessment will take place after the completion of the human health assessment and continue until October 2018.

Assuming EPA prefers a single site RCRA Facility Investigation (RFI) report, a full RFI report will be completed by January 2019. If a CMS is necessary, it will be completed within six months of EPA's approval of the RFI report.

If Interim Measures are necessary, they shall be performed on an as-needed basis on a separate schedule developed by EPA and Cummings Properties, LLC and shall be independent of the schedule presented in this section.